

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: Merrimack - Superior Court
Case Name: John Anthony Castro v. Donald John Trump, et al.
Case Number: 217-2023-CV-00462
(if known)

COMPLAINT

Requested: ☐ Jury Trial (as allowed by law) ☒ Bench Trial

1. Plaintiff's Name John Anthony Castro
Residence Address 12 Park Pl, Mansfield, TX 76063
Mailing Address (if different) _____
Telephone Number (Home) _____ (Mobile) (202) 594-4344

2. Defendant's Name Donald John Trump
Residence Address 1100 South Ocean Boulevard, Palm Beach, FL 33480
Mailing Address (if different) _____
[See Attachment(s), item 'Additional Defendants(s)']

3. First thing that happened (in one sentence):
Plaintiff files this civil action against Defendant Donald John Trump to have him
judicially declared ineligible to appear on the 2024 Republican primary ballot for
having provided aid or comfort to the insurrectionists that violently attacked our
United States Capitol on January 6, 2021.

4. Second thing that happened (in one sentence):
This results in disqualification from pursuing and/or holding any local, state, or
federal public office in the United States pursuant to Section 3 of the 14th
Amendment to the US Constitution.

5. Third thing that happened (in one sentence):
Plaintiff John Anthony Castro seeks an injunction against Defendant Secretary of
State David Scanlan to prevent him from accepting and/or processing any ballot
access documentation from Defendant Donald John Trump.

Continue on using separately numbered paragraphs (attach additional sheets if necessary).

Case Name: John Anthony Castro v. Donald John Trump, et al.**Case Number:** _____**COMPLAINT**

For the reasons stated in this Complaint, I request that the Court issue the following orders:

A. Describe the orders you want the Court to make:

Because Defendant Donald John Trump provided aid or comfort to insurrectionists, he is disqualified from pursuing and/or holding any public office in the United States.

As such, Plaintiff John Anthony Castro seeks an injunction against Defendant Secretary of States David Scanlan from accepting and/or processing Defendant Donald John Trump's Declaration of Candidacy and any other documentation that serves as an application to appear on the New Hampshire primary ballot.

B. All other relief the Court deems fair and just.

John Anthony Castro

Name of Filer

/s/ John Anthony Castro

Signature of Filer

8/27/23

Date

(202) 594-4344

Law Firm, if applicable

Bar ID # of attorney

Telephone

12 Park Pl

j.castro@johncastro.com

Address

E-mail

Mansfield, TX 76063

City

State

Zip code

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To Complaint

Additional Defendants(s)

Defendant #2

Name: David Scanlan, FKA Secretary of State

Residence Address: 25 Capitol Street, Concord, NH 03301

Additional Claim Details

6. N.H. Rev. Stat. § 655:47 only requires certification of Presidential candidacy eligibility "pursuant to article II, section 1, clause 4 of the United States Constitution." It makes no reference to Section 3 of the 14th Amendment or to the United States Constitution as a whole.

7. As such, the New Hampshire Ballot Law Commission is without jurisdiction rendering N.H. Rev. Stat. § 665:7 inapplicable.

8. Even if the Court found N.H. Rev. Stat. § 665:7 to somehow be applicable, Plaintiff asserts the statute itself is unconstitutional in that it denies Plaintiff the right to petition the judiciary to redress his grievances as guaranteed by the First Amendment to the United States Constitution.

9. Because the state administers the Republican primary election, the conduct of the primary candidate election is deemed to be state action subject to the jurisdiction of this Court.
As such, this Court unquestionably has jurisdiction to review these matters.

10. Plaintiff John Anthony Castro is a 2024 Republican Presidential Candidate. Defendant Donald John Trump is a 2024 Republican Presidential Candidate. Defendant Secretary of State David Scanlan is in charge of accepting or rejecting candidate applications to appear on the ballot.

11. Venue is appropriate in the New Hampshire 6th Circuit Court, Concord District Division, because this is where Defendant Secretary of State operates and where Plaintiff John Anthony Castro and Defendant Donald John Trump will submit their Declaration of Candidacy and application to appear on the ballot.

12. Section 3 of the 14th Amendment to the United States Constitution disqualifies any individual from pursuing and/or holding local, state, or federal public office in the United States if that individual provided aid or comfort to an insurrection against the authority of the United States.

If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.

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To Complaint

13. Enrique Tarrio was convicted of seditious conspiracy against the United States for his involvement in the January 6, 2021, attack on our United States Capitol with the unlawful goal of preventing and/or delaying the certification of the 2020 election results by the Electoral College in order to compel the re-inauguration of then-President and current Defendant Donald John Trump.

14. Defendant Donald John Trump had previously issued an executive military order to Enrique Tarrio and the Proud Boys to "stand back and standby" on live television.

15. After the January 6 attack on the United States Capitol, Defendant Donald John Trump told the insurrectionists "We love you, you're very special."

16. Defendant Donald John Trump has promised to pardon the insurrectionists that attacked on the United States Capitol on January 6, 2021. Defendant Donald John Trump has helped raise funds for the legal defense of the January 6 insurrectionists.

17. As such, Defendant Donald John Trump has provided "aid or comfort" to insurrectionists.

If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.